

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 16TH DAY OF JUNE 1998.

BEFORE

THE HON'BLE MR. JUSTICE M.F.SALDANHA

WRIT PETITION NO.11097 OF 1998.

BETWEEN:

Thomas Manthero,
S/o Duminga Manthero,
aged about 60 years,
Agriculturist,
Urlandi, Bolwar,
Puttur Kasaba village,
Puttur taluk, D.K. Petitioner

(By Sri G.S.Visweswara, Adv. for Petitioner)

AND

1. S. Krishna Bhat,
S/o Eswara Bhat,
major, residing at
Kudkoli Locality,
Yenmekaje village,
Kasaragodu taluk,
Kerala State.
2. I Land Tribunal,
Puttur taluk,
Puttur, D.K.
by its Secretary.

3. State of Karnataka,
by its Secretary,
to Govt. of Karnataka,
Revenue Department,
Vidhana Soudha,
Bangalore-560 001. . . Respondents

(By Sri S.V.Jagannath, AGA for R-2 & 3)

* * *

Writ petition filed under Articles 226
and 227 of the Constitution of India with an
affidavit praying to quash vide Annex.D
dt.9.12.96 by R-2 and direct that the clerical
mistake be rectified by mentioning Sy.No.281/4
in place of Sy.No.281/p2 dt.17.11.80 produced
at Annex. B. & direct R-2 to conduct an enquiry
in accordance with law and etc.,

This writ petition is coming on for
preliminary hearing this day, the Court made
the following

O R D E R

I have heard the petitioner's

learned Advocate and the
learned Government Advocate.

It is unnecessary to serve R-1
who is not concerned with this
controversy.

The application for
correction that was filed before
the tribunal has been wrongly
rejected. A perusal of the records
produced before me clearly indicates
that the earlier order of the Tribunal
Annexure-B is required to stand amended
as far as the second survey number is
concerned. Whereas the Tribunal had
mentioned Sy.No.281/P2 ad-measuring
0.43 cents, it is clear that this is
an error, and this should stand
substituted by Sy.No.281/4 ad-measuring
37 cents. The original order to stand

379
/ 4 /

amended accordingly. The
concerned authorities shall
take consequential steps pur-
suant to this order. The
petition accordingly succeeds.
No order as to costs.

Sd/- JUDGE.

Mc/-

r. by : 21/8/98

c. by 22

COPY

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Assistant Registrar
High Court of Karnataka
Bangalore-560 001

21-29-98

7/9/98

